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Via Email

March 15, 2017

Andrea Griswold, Esq.
Damian Williams, Esq.
Assistant United States Attorneys
United States Attorney's Office for the
Southern District of New York
1 St. Andrew's Plaza
New York, New York 10007

Re: *United States v. Kaleil Isaza Tuzman, Omar Amanat, and Irfan Amanat*, S8 15 CR. 536 (PGG)

Dear Ms. Griswold and Mr. Williams:

On behalf of Omar Amanat, I write seeking a bill of particulars pursuant to Rule 7(f) of the Federal Rules of Criminal Procedure with respect to Superseding Indictment S-8. I would like to discuss these requests with you before March 21, 2017 so that we can meet and confer in good faith as required by Local Rule 16.1, prior to the defense motion submission deadline of March 31, 2017.

Count One

1. Paragraph 4 states that “[a]t various times relevant to this Indictment, Enable was affiliated with certain U.S. –based accounts, including a trading account (the “U.S.

Enable Trading Account”), certain U.S. –based bank accounts (the “U.S. Enable Bank Accounts”), and certain foreign-based accounts and entities.” S8 Indict. ¶4. Please (i) identify each of the “certain U.S. –based accounts” with which Enable was “affiliated”; (ii) identify the “trading account” defined as the “U.S. Enable Trading Account”; and (iii) specify each and every one of the “certain foreign based accounts and entities” identified in that paragraph.

2. With respect to Paragraph 15: (i) specify the “false and misleading representations”; (ii) identify how the statements were false and misleading; (iii) identify which persons or investments Mr. Amanat allegedly “solicited with false and misleading representations”; and (iv) specify the dates and locations when and where those statements were made.
3. With respect to Paragraph 15, identify whether Mr. Amanat’s alleged solicitation of investments in Enable through “false and misleading representations” was an object of the alleged conspiracy charged in Count One.
4. With respect to Paragraphs 47 and 48, identify the co-conspirators referred to as “others.”
5. With respect to Paragraph 48, identify the victims and intended victims of the alleged wire fraud conspiracy.
6. With respect to Paragraph 50, identify the individuals referred to as “others.”

Count Two

7. With respect to Paragraph 50: (i) specify the “material misrepresentations” and the “material facts” omitted concerning the status of Maiden Capital investors’ investments; (ii) specify the “material misrepresentations” and the “material facts” omitted that were allegedly caused by “the wiring of hundreds of thousands of dollars to Maiden Capital in order to pay certain redemptions and forestall Maiden Capital’s collapse”; (iii) identify

the dates, locations, and communications in which the material misrepresentations and material omissions allegedly were made.

Count Four

8. With respect to Paragraph 56, identify the co-conspirators referred to as “others.”
9. With respect to Paragraphs 74 and 75, identify the co-conspirators referred to as “others.”

Count Five

10. With respect to Count Five, state whether Omar Amant was a co-conspirator.

I look forward to your prompt response to these requests.

Very truly yours,

Caroline J. Polisi